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Daniel E. Ovanezian
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER
NGUYEN, THUONG

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 February 2008*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40 and 57-61* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-40 and 57-61* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *2/14/08*.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

1.   This communication is responsive to application 10/600,472 the amendment filed

on 2/14/08. Claims 1-40, 57-61 are pending and represent method of modifying a

checksuite.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-32, & 57-60 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Moulden, Patent No. 2006/0206870 A1 in view of Eden, Patent No. 2003/0009305

A1.

        Moulden teaches the invention substantially as claimed including integrated

computer testing and task management systems (see abstract).

4.   As to claim 1, Moulden teaches a method, comprising:

        selecting a checksuite for editing (figure 9; figure 15-16; figure 29; page 3,

paragraph 47; Moulden discloses that the method of selecting existing test project or

creating a test project); and

editing the checksuite (page 5, paragraph 60 & 65; page 9, paragraph 98;

Moulden discloses that the method of modifying attributes of an existing suite or

modifying test suite).

applying the edited checksuite to at least one of the two or more previously

selected machines or one or more additional machines (page 4, paragraph 51 & 53;

page 9, paragraph 98-100; Moulden discloses that the method of running the modified

test suite on selected machines).

But Moulden failed to teach the claim limitation wherein the checksuite includes

one or more individual checks, each check being configured to monitor a parameter of

an operating system or a software program that runs on an operating system.

However, Eden teaches flexible, extensible, and portable testing platform (see

abstract). Eden teaches the limitation wherein the checksuite includes one or more

individual checks, each check being configured to monitor a parameter of an operating

system or a software program that runs on an operating system (page 1, paragraph 4,

6-7; page 2, paragraph 14 & 18; page 9, paragraph 33; page 10, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Moulden in view of Eden so that the system would be able to apply

to testing a different type of component or extended, ported to different hardware and

operating system environments. One would be motivated to do so to easily ported and

enhanced to facilitate testing of many different types of hardware and software

components while running within a multitude of different operating system

environments.

5.   As to claim 2, Moulden and Eden teach the method as recited in claim 1, wherein

editing the checksuite further comprises:

        adding one or more new individual checks to the checksuite (page 6, paragraph

72; Moulden discloses that the method of adding or specifying the context for suites and

test group); and

        applying the edited checksuite to the one or more previously selected machines

(page 6, paragraph 68; Moulden discloses that the method of activates the test suite

once the user complete the process).

6.   As to claim 3, Moulden and Eden teach the method as recited in claim 2, further

comprising:

        selecting one or more additional machines to receive the edited checksuite (page

6, paragraph 69; Moulden discloses that the method of selecting the desire test suite);

and

        applying the edited checksuite to the newly selected machines (page 7,

paragraph 77; Moulden discloses that the method of run the test suite for the selected

machine).

7.   As to claim 4, Moulden and Eden teach the method as recited in claim 2, further

comprising:

        de-selecting at least one of the one or more machines previously selected (page

6, paragraph 72; Moulden discloses that the method of deleting and modifying the

selected test suite); and

removing the edited checksuite from the deselected machines (page 5,

paragraph 66; Moulden discloses that the method of removing the selected test suite

form the machine).

8.   As to claim 5, Moulden and Eden teach the method as recited in claim 2, wherein

applying the edited checksuite to the one or more previously selected machines cancels

any differences made to at least one of the one or more previously selected machines

(page 4, paragraph 48-50; Moulden discloses that the method of applying the test suite

and creating the sequence for the test suite).

9.   As to claim 6, Moulden and Eden teach the method as recited in claim 2, wherein

applying the edited checksuites to the one or more previously selected machines

preserves any differences made to at least one of the one or more previously selected

machines (page 5, paragraph 58; Moulden discloses that the method of run the test

suite for the selecting machines).

10.   As to claim 7, Moulden and Eden teach the method as recited in claim 1, wherein

editing the checksuite further comprises:

        deleting one or more individual checks from the checksuite (page 5, paragraph

63; Moulden discloses that the method of deleting the selected test case from the test

suite); and

        applying the edited checksuite to the one or more previously selected machines

(page 9, paragraph 95; Moulden discloses that the method of run the test suite for the

selected machine).

11.   As to claim 8, Moulden and Eden teach the method as recited in claim 7, further

comprising:

        selecting one or more additional machines to receive the edited checksuite (page

6, paragraph 69; Moulden discloses that the method of selecting the desire test suite);

and

        applying the edited checksuite to the newly selected machines (page 7,

paragraph 77; Moulden discloses that the method of run the test suite for the selected

machine).

12.   As to claim 9, Moulden and Eden teach the method as recited in claim 7, further

comprising:

        de-selecting at least one of the one or more machines previously selected (page

6, paragraph 72; Moulden discloses that the method of deleting and modifying the

selected test suite); and

        removing the edited checksuite from the de-selected machines (page 5,

paragraph 66; Moulden discloses that the method of removing the selected test suite

form the machine).

13.   As to claim 10, Moulden and Eden teach the method as recited in claim 7,

wherein applying the edited checksuite to the one or more previously selected machines

cancels any differences made to at least one of the one or more previously selected

machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the

test suite and creating the sequence for the test suite).

14.   As to claim 11, Moulden and Eden teach the method as recited in claim 7,

wherein applying the edited checksuite to the one or more previously selected machines

preserves any differences made to at least one of the one or more previously selected

machines (page 5, paragraph 58; Moulden discloses that the method of run the test

suite for the selecting machines).

15.   As to claim 12, Moulden and Eden teach the method as recited in claim 1,

wherein editing the checksuite further comprises:

        modifying one or more individual checks within the checksuite (page 9,

paragraph 98; Moulden discloses that the method of modifying the test case within the

test suite or test group); and

        applying the edited checksuite to the one or more previously selected machines

(page 7, paragraph 77; Moulden discloses that the method of activate the test suite from

the selected machine).

16.   As to claim 13, Moulden and Eden teach the method as recited in claim 12,

further comprising:

        selecting one or more additional machines to receive the edited checksuite (page

6, paragraph 69; Moulden discloses that the method of selecting the desire test suite);

and

        applying the edited checksuite to the newly selected machines (page 7,

paragraph 77; Moulden discloses that the method of run the test suite for the selected

machine).

17.   As to claim 14, Moulden and Eden teach the method as recited in claim 12,

further comprising:

    de-selecting at least one of the one or more machines previously selected (page

6, paragraph 72; Moulden discloses that the method of deleting and modifying the

selected test suite); and

    removing the edited checksuite from the de-selected machines (page 5,

paragraph 66; Moulden discloses that the method of removing the selected test suite

form the machine).

18.   As to claim 15, Moulden and Eden teach the method as recited in claim 12,

wherein applying the edited checksuite to the one or more previously selected machines

cancels any differences made to at least one of the one or more previously selected

machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the

test suite and creating the sequence for the test suite).

19.   As to claim 16, Moulden and Eden teach the method as recited in claim 12,

wherein applying the edited checksuites to the one or more previously selected

machines preserves any differences made to at least one of the one or more previously

selected machines (page 5, paragraph 58; Moulden discloses that the method of run the

test suite for the selecting machines).

20.   As to claim 17, Moulden teaches a machine-readable medium including program

code, which when executed by a processor causes the processor to perform the

following:

selecting a checksuite for editing (figure 9; figure 15-16; figure 29; page 3,

paragraph 47; Moulden discloses that the machine-readable medium of selecting

existing test project or creating a test project); and

editing the checksuite (page 5, paragraph 60 & 65; page 9, paragraph 98;

Moulden discloses that the machine-readable medium of modifying attributes of an

existing suite or modifying test suite).

applying the edited checksuite to at least one of the two or more previously

selected machines or one or more additional machines (page 4, paragraph 51 & 53;

page 9, paragraph 98-100; Moulden discloses that the machine-readable medium of

running the modified test suite on selected machines).

But Moulden failed to teach the claim limitation wherein the checksuite includes

one or more individual checks, each check being configured to monitor a parameter of

an operating system or a software program that runs on an operating system.

However, Eden teaches the limitation wherein the checksuite includes one or

more individual checks, each check being configured to monitor a parameter of an

operating system or a software program that runs on an operating system (page 1,

paragraph 4, 6-7; page 2, paragraph 14 & 18; page 9, paragraph 33; page 10,

paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Moulden in view of Eden so that the system would be able to apply

to testing a different type of component or extended, ported to different hardware and

operating system environments. One would be motivated to do so to easily ported and

enhanced to facilitate testing of many different types of hardware and software

components while running within a multitude of different operating system

environments.

21.   As to claim 18, Moulden and Eden teach the machine-readable medium as

recited in claim 17, which causes the processor to further perform:

        adding one or more individual checks to the checksuite (page 6, paragraph 72;

Moulden discloses that the machine-readable medium of adding or specifying the

context for suites and test group); and

        applying the edited checksuite to the one or more previously selected machines

(page 6, paragraph 68; Moulden discloses that the machine-readable medium of

activates the test suite once the user complete the process).

22.   As to claim 19, Moulden and Eden teach the machine-readable medium as

recited in claim 18, which causes the processor to further perform:

        selecting one or more additional machines to receive the edited checksuite (page

6, paragraph 69; Moulden discloses that the machine-readable medium of selecting the

desire test suite); and

        applying the edited checksuite to the newly selected machines (page 7,

paragraph 77; Moulden discloses that the machine-readable medium of run the test

suite for the selected machine).

23.   As to claim 20, Moulden and Eden teach the machine-readable medium as

recited in claim 18, which causes the processor to further perform:

de-selecting at least one of the one or more machines previously selected (page

6, paragraph 72; Moulden discloses that the machine-readable medium of deleting and

modifying the selected test suite); and

removing the edited checksuite from the de-selected machines (page 5,

paragraph 66; Moulden discloses that the machine-readable medium of removing the

selected test suite form the machine).

24.   As to claim 21, Moulden and Eden teach the machine-readable medium as

recited in claim 18, wherein canceling any differences made to at least one of the one or

more previously selected machines (page 4, paragraph 48-50; Moulden discloses that

the machine-readable medium of applying the test suite and creating the sequence for

the test suite).

25.   As to claim 22, Moulden and Eden teach the machine-readable medium as

recited in claim 18, wherein preserving any differences made to at least one of the one

or more previously selected machines (page 5, paragraph 58; Moulden discloses that

the machine-readable medium of run the test suite for the selecting machines).

26.   As to claim 23, Moulden and Eden teach the machine-readable medium as

recited in claim 17, which causes the processor to further perform:

deleting one or more individual checks from the checksuite (page 5, paragraph

63; Moulden discloses that the machine-readable medium of deleting the selected test

case from the test suite); and

applying the edited checksuite to the one or more previously selected machines

(page 9, paragraph 95; Moulden discloses that the machine-readable medium of run the

test suite for the selected machine).

27.   As to claim 24, Moulden and Eden teach the machine-readable medium as

recited in claim 23, which causes the processor to further perform:

selecting one or more additional machines to receive the edited checksuite (page

6, paragraph 69; Moulden discloses that the machine-readable medium of selecting the

desire test suite); and

applying the edited checksuite to the newly selected machines (page 7,

paragraph 77; Moulden discloses that the machine-readable medium of run the test

suite for the selected machine).

28.   As to claim 25, Moulden and Eden teach the machine-readable medium as

recited in claim 23, which causes the processor to further perform:

de-selecting at least one of the one of more machines previously selected (page

6, paragraph 72; Moulden discloses that the machine-readable medium of deleting and

modifying the selected test suite); and

removing the edited checksuite from the de-selected machines (page 5,

paragraph 66; Moulden discloses that the machine-readable medium of removing the

selected test suite form the machine).

29.   As to claim 26, Moulden and Eden teach the machine-readable medium as

recited in claim 23, wherein canceling any differences made to one of the one or more

previously selected machines (page 4, paragraph 48-50; Moulden discloses that the

machine-readable medium of applying the test suite and creating the sequence for the

test suite).

30.   As to claim 27, Moulden and Eden teach the machine-readable medium as

recited in claim 23, wherein preserving any differences made to at least one of the one

or more previously selected machines (page 5, paragraph 58; Moulden discloses that

the machine-readable medium of run the test suite for the selecting machines).

31.   As to claim 28, Moulden and Eden teach the machine-readable medium as

recited in claim 17, which causes the processor to further perform:

        modifying one or more individual checks within the checksuite (page 9,

paragraph 98; Moulden discloses that the machine-readable medium of modifying the

test case within the test suite or test group); and

        applying the edited checksuite to the one or more previously selected machines

(page 7, paragraph 77; Moulden discloses that the machine-readable medium of

activate the test suite from the selected machine).

32.   As to claim 29, Moulden and Eden teach the machine-readable medium as

recited in claim 28, which causes the processor to further perform:

        selecting one or more additional machines to receive the edited checksuite (page

6, paragraph 69; Moulden discloses that the machine-readable medium of selecting the

desire test suite); and

        applying the edited checksuite to the newly selected machines (page 7,

paragraph 77; Moulden discloses that the machine-readable medium of run the test

suite for the selected machine).

33.   As to claim 30, Moulden and Eden teach the machine-readable medium as

recited in claim 28, which causes the processor to further perform:

     de-selecting at least one of the one or more machines previously selected (page

6, paragraph 72; Moulden discloses that the machine-readable medium of deleting and

modifying the selected test suite); and

     removing the edited checksuite from the de-selected machines (page 5,

paragraph 66; Moulden discloses that the machine-readable medium of removing the

selected test suite form the machine).

34.   As to claim 31, Moulden and Eden teach the machine-readable medium as

recited in claim 28, wherein canceling any differences made to at least one of the one or

more previously selected machines (page 4, paragraph 48-50; Moulden discloses that

the machine-readable medium of applying the test suite and creating the sequence for

the test suite).

35.   As to claim 32, Moulden and Eden teach the machine-readable medium as

recited in claim 28, wherein preserving any differences made to at least one of the one

or more previously selected machines (page 5, paragraph 58; Moulden discloses that

the machine-readable medium of run the test suite for the selecting machines).

36.   As to claim 57, Moulden and Eden teach an apparatus, comprising:

     a memory to store instructions (page 6, paragraph 72; Moulden discloses that the

apparatus of included the memory in the system); and

     a processor, coupled to the memory, to execute the instructions, the instructions

causing the processor to

select a checksuite for editing (figure 9; figure 15-16; figure 29; page 3,

paragraph 47; Moulden discloses that the apparatus of selecting existing test project or

creating a test project),

to edit the checksuite (page 5, paragraph 60 & 65; page 9, paragraph 98;

Moulden discloses that the apparatus of modifying attributes of an existing suite or

modifying test suite), and

to apply the edited checksuite to at least one of the two or more previously

selected machines or one or more additional machines (page 4, paragraph 51 & 53;

page 9, paragraph 98-100; Moulden discloses that the apparatus of running the

modified test suite on selected machines).

But Moulden failed to teach the claim limitation wherein the checksuite includes

one or more individual checks, each check being configured to monitor a parameter of

an operating system or a software program that runs on an operating system, the

checksuite applied to two or more previously selected machines having different

operating systems, to select the requested checksuite.

However, Eden teaches the limitation wherein the checksuite includes one or

more individual checks, each check being configured to monitor a parameter of an

operating system or a software program that runs on an operating system, the

checksuite applied to two or more previously selected machines having different

operating systems, to select the requested checksuite (figure 1; page 1, paragraph 3;

page 3, paragraph 21-22).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Eden so that the system would be able to apply to testing a different type of component or extended, ported to different hardware and operating system environments. One would be motivated to do so to easily ported and enhanced to facilitate testing of many different types of hardware and software components while running within a multitude of different operating system environments.

37.   As to claim 58, Moulden and Eden teach an apparatus as recited in claim 57, wherein the instructions cause the processor to edit the checksuite by performing at least one of adding one or more new individual checks to the checksuite, deleting one or more individual checks from the checksuite, or modifying one or more individual checks within the checksuite (page 6, paragraph 72; Moulden discloses that the apparatus of adding or specifying the context for suites and test group).

38.   As to claim 59, Moulden and Eden teach an apparatus as recited in claim 58, wherein the instructions further cause the processor

to select one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the apparatus of selecting the desire test suite), and

to apply the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the apparatus of run the test suite for the selected machine).

39.   As to claim 60, Moulden and Eden teach an apparatus as recited in claim 58,

wherein the instructions further cause the processor

      to de-selecting at least one of the one or more machines previously selected

(page 6, paragraph 72; Moulden discloses that the apparatus of deleting and modifying

the selected test suite), and

      to remove the edited checksuite from the deselected machines (page 5,

paragraph 66; Moulden discloses that the apparatus of removing the selected test suite

form the machine).

40.   Claims 33-40 & 61are rejected under 35 U.S.C. 103(a) as being unpatentable

over Moulden, Patent No. 2006/0206870 A1 in view of Eden, Patent No. 2003/0009305

A1, and further in view of Singh, Patent No. 2003/0037289 A1.

      Moulden teaches the invention substantially as claimed including integrated

computer testing and task management systems (see abstract).

41.   As to claim 33, Moulden teaches a method comprising:

      selecting the requested checksuite (page 1, paragraph 10; page 3, paragraph 47;

Moulden discloses that the method of selecting the appropriate test suite);

      editing the checksuite (page 5, paragraph 60 & 65; page 9, paragraph 98;

Moulden discloses that the method of modifying attributes of an existing suite or

modifying test suite).

applying the edited checksuite to at least one of the two or more previously

selected machines or one or more additional machines (page 4, paragraph 51 & 53;

page 9, paragraph 98-100; Moulden discloses that the method of running the modified

test suite on selected machines).

But Moulden failed to teach the claim limitation wherein the checksuite includes

one or more individual checks, each check being configured to monitor a parameter of

an operating system or a software program that runs on an operating system; receiving

a request to select a checksuite for editing, the checksuite applied to two or more

previously selected machines having different operating systems.

However, Singh teaches fault tolerance software system with periodic external

self-test failure detection (see abstract). Signh teaches the limitation wherein receiving

a request to select a checksuite for editing (figure 4B; page 2, paragraph 26).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Moulden in view of Singh so that the system would be able to

process corresponding requests for the test script. One would be motivated to

monitoring server processes in a client-server system.

However, Eden teaches the limitation wherein the checksuite includes one or

more individual checks, each check being configured to monitor a parameter of an

operating system or a software program that runs on an operating system (figure 1;

page 1, paragraph 3; page 3, paragraph 21-22); the checksuite applied to two or more

previously selected machines having different operating systems (page 1, paragraph 4,

6-7; page 2, paragraph 14 & 18; page 9, paragraph 33; page 10, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Moulden in view of Eden so that the system would be able to apply

to testing a different type of component or extended, ported to different hardware and

operating system environments. One would be motivated to do so to easily ported and

enhanced to facilitate testing of many different types of hardware and software

components while running within a multitude of different operating system

environments.

42.   As to claim 34, Moulden, Eden and Singh teach the method as recited in claim

33, wherein saving the changes made to the selected checksuite (page 6, paragraph

68; Moulden discloses that the method of saving the changes for the test suite).

But Moulden and Eden failed to teach the claim limitation wherein receiving

changes made to the selected checksuite; receiving a request to save the changes

made to the selected checksuite.

However, Singh teaches the limitation wherein receiving changes made to the

selected checksuite (figure 5-7); receiving a request to save the changes made to the

selected checksuite (page 4, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the combination of Moulden and Eden in view of Singh so that the

system would be able to response to the request from the client. One would be

motivated to do so to issue the request and confirm the response for the particular

requests.

43.   As to claim 35, Moulden, Eden and Singh teach the method as recited in claim

33, wherein editing the checksuite further comprises:

adding the new individual checks to the selected checksuite (page 6, paragraph

72; Moulden discloses that the method of adding or specifying the context for suites and

test group);

saving the selected checksuite as modified (page 6, paragraph 68; Moulden

discloses that the method of saving the changes for the test suite); and

applying the modified checksuite to the one or more previously selected

machines (page 6, paragraph 68; Moulden discloses that the method of activates the

test suite once the user complete the process).

But Moulden and Eden failed to teach the claim limitation wherein receiving new

individual checks.

However, Singh teaches the limitation wherein receiving new individual checks

(figure 5-7).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the combination of Moulden and Eden in view of Singh so that the

system would be able to response to the request from the client. One would be

motivated to do so to issue the request and confirm the response for the particular

requests.

44.   As to claim 36, Moulden, Eden and Singh teach the method as recited in claim

33, wherein editing the checksuite further comprises:

selecting the requested one or more individual checks (figure 9; figure 15-16;

figure 29; page 3, paragraph 47; Moulden discloses that the method of selecting

existing test project or creating a test project);

deleting the selected one or more individual checks (page 5, paragraph 63;

Moulden discloses that the method of deleting the selected test case from the test

suite);

saving the modified checksuite (page 6, paragraph 68; Moulden discloses that

the method of saving the changes for the test suite); and

applying the modified checksuite to the one or more machines previously

selected (page 6, paragraph 68; Moulden discloses that the method of activates the test

suite once the user complete the process).

But Moulden and Eden failed to teach the claim limitation wherein receiving a

request to select one or more of the individual checks; receiving a request the delete the

selected one or more individual checks; receiving a request to save the checksuite as

modified.

However, Singh teaches the limitation wherein receiving a request to select one

or more of the individual checks (figure 5-7); receiving a request the delete the selected

one or more individual checks (page 4, paragraph 42); receiving a request to save the

checksuite as modified (page 4, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the combination of Moulden and Eden in view of Singh so that the

system would be able to response to the request from the client. One would be

motivated to do so to issue the request and confirm the response for the particular

requests.

45.   As to claim 37, Moulden, Eden and Singh teach the method as recited in claim

33, wherein editing the checksuite further comprises:

        selecting the one or more requested individual checks (figure 9; figure 15-16;

figure 29; page 3, paragraph 47; Moulden discloses that the method of selecting

existing test project or creating a test project);

        saving the one or more modified individual checks (page 6, paragraph 68;

Moulden discloses that the method of saving the changes for the test suite).

        But Moulden and Eden failed to teach the claim limitation wherein receiving a

request to select one or more individual checks within the checksuite; receiving a

modification of at least one parameter of the one or more selected individual checks;

receiving a request to save the one or more individual checks as modified.

        However, Moulden teaches the limitation wherein receiving a request to select

one or more individual checks within the checksuite (figure 5-7); receiving a modification

of at least one parameter of the one or more selected individual checks (page 4,

paragraph 41); receiving a request to save the one or more individual checks as

modified (page 4, paragraph 41).

        It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the combination of Moulden and Eden in view of Singh so that the

system would be able to response to the request from the client. One would be

motivated to do so to issue the request and confirm the response for the particular

requests.

46.   As to claim 38, Moulden, Eden and Singh teach the method as recited in claim

37, wherein applying the checksuite containing the one or more modified individual

checks to the one or more previously selected machines (page 6, paragraph 68;

Moulden discloses that the method of activates the test suite once the user complete

the process).

      But Moulden and Eden failed to teach the claim limitation wherein receiving a

request to apply the checksuite containing the one or more modified individual checks to

the one or more previously selected machines (figure 4B; page 2, paragraph 26).

      It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the combination of Moulden and Eden in view of Singh so that the

system would be able to process corresponding requests for the test script. One would

be motivated to monitoring server processes in a client-server system.

47.   As to claim 39, Moulden, Eden and Singh teach the method as recited in claim

36, wherein applying the modified checksuite to the one or more previously selected

machines preserves differences made to the one or more previously selected machines

(page 5, paragraph 58; Moulden discloses that the method of run the test suite for the

selecting machines).

48.   As to claim 40, Moulden, Eden and Singh teach the method as recited in claim

36, wherein applying the modified checksuite to the one or more previously selected

machines cancels differences made to the one or more previously selected machines

(page 4, paragraph 48-50; Moulden discloses that the method of applying the test suite

and creating the sequence for the test suite).

49.   As to claim 61, Moulden and Eden teach an apparatus as recited in claim 57,

wherein the instructions further cause the processor to select the checksuite (figure 9;

figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the apparatus of

selecting existing test project or creating a test project), and to edit the checksuite (page

5, paragraph 60 & 65; page 9, paragraph 98; Moulden discloses that the apparatus of

modifying attributes of an existing suite or modifying test suite).

        But Moulden and Eden failed to teach the claim limitation wherein to receive a

command.

        However, Sigh teaches the limitation wherein to receive a command (figure 4B;

page 2, paragraph 26).

        It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Moulden in view of Singh so that the system would be able to

process corresponding requests for the test script. One would be motivated to

monitoring server processes in a client-server system.

                                    Response to Arguments

Applicant's arguments with respect to claims 1, 17, 33 & 57 have been considered but

are moot in view of the new ground(s) of rejection. Applicant's arguments include the

failure of previously applied art to expressly disclose "a check suite applied to two or

more previously selected machines having different operating systems" (see Applicant's

response, 1/24/08, page 12, paragraph 3). It is evident from the detailed mappings

found in the above rejection(s) that Moulden disclosed this functionality (see Eden; page

1, paragraph 4, 6-7; page 2, paragraph 14 & 18; page 9, paragraph 33; page 10,

paragraph 41). Further, it is clear from the numerous teachings (previously and

currently cited) that the provision for <u>wherein the checksuite includes one or more</u>

<u>individual checks</u> was widely implemented in the networking art. Thus, Applicant's

arguments drawn toward distinction of the claimed invention and the prior art teachings

on this point are not considered persuasive.

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tina Nguyen whose telephone number is 571-272-3864,

and the fax number is 571-273-3864. The examiner can normally be reached on 8:00

AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Thuong (Tina) Nguyen
Patent Examiner/Art Unit 2155

/saleh najjar/

Supervisory Patent Examiner, Art Unit 2155